

# Notice of Allowability

Application No.

10/811,120

Examiner

Minh-Chau T. Pham

Applicant(s)

NICHOLAS ET AL.

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 2/26/07.
2. ☒ The allowed claim(s) is/are 5-11, 16-20 and 28-37 (renumbered as 1-22 respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

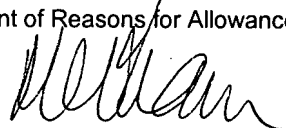
5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other \_\_\_\_\_

  
Minh-Chau Pham  
Patent Examiner  
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***Allowable Subject Matter***

Claims 5-11, 16-20 and 28-37 allowed.

The closest relevant art is Engelland et al (2004/0221555 A1) wherein Engelland et al teach a method for mounting an air circulation component (30) to an air circulation system (10) comprising the steps of providing a notch (see 68, 121 in Fig. 6, 67, 69, 120 in Fig. 7, page 4, paragraphs 0061-0063) associated with a leading portion of an air circulation component (30), providing a guide (page 4, paragraphs 0072-0074) associated with the air circulation system (10) wherein the guide comprises a load bearing surface, and positioning the air circulation component (30) with respect to the air circulation system (10) such that a portion of the contact surface is adjacent to a portion of the load bearing surface, and a portion of the weight of the air circulation component (30) is transferred from the contact surface to the load bearing surface (see Figs. 4-8, page 5, paragraph 0076). Engelland et al further teach the air circulation component comprising at least a filter (30) or a filter (30) containing filtration media (31), and a gripping device associated with the apparatus (88 in Fig. 4, page 4, paragraph 0069).

Claims 5-11, 16-20 and 28-37 differ from the disclosure of Engelland et al in that the guide projects from the first structural member and is angled generally downward and toward the second structural member. The slot is formed in the first side of the filter housing and extends generally inward and downward. When the slot and guide engage, a portion of the weight of the filter housing bears against the guide, which in turn biases the filter housing toward the second structural member.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

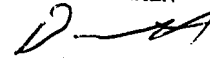
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Minh-Chau Pham  
Patent Examiner  
Art Unit: 1724  
May 1, 2007

DUANE SMITH  
PRIMARY EXAMINER

  
5.7.07